

ASSISTED LIVING SURVEY & LICENSURE RESTRUCTURING PROJECT WORK GROUP

Meeting Date: July 23, 2004
Meeting Location: Medicaid Offices, 3232 Elder Street, Boise, Idaho

Participants: Debora Corbin, Robert Vande Merwe, Bryan Elliot, Virginia Loper, Chris Baylis, Jerry Mitchell, Linda Simon, Suzie Hanks, Debby Ransom, Angela Browning, Sharon Ashcraft, Cathy Hart

Sponsor: Randy May

Facilitators: Marsha Bracke, Susan Hayman

Support Staff: Steve Millward

Observers: Bev Barr, Randy Goss, Nicole Martin, Michelle Glasgow, Ione Springer, Jim Shaddock, Penny Swygart, Rep. Bill Sali

Meeting Objectives:

1. Provide final review, refinement and decision on Task List assignments and checklists.

Handouts:

- Agenda
- IDALA letter to Randy May and RALF Restructuring Work Group
- Definitions
- Survey & Technical Assistance Guide
- Medications Checklist
- Nursing Services Checklist
- Administrator Checklist
- Training Checklist
- Resident Rights Checklist
- Records Checklist
- Food Services Checklist

Decisions:

1. The workgroup voted against a moratorium on the Restructuring Project.
2. The workgroup approved the "Definitions" document presented by Virtual Subgroup #2, with the exception of "potential for harm," which requires a clearer definition.
3. The workgroup approved the Survey & Technical Assistance Guide with changes as noted.
4. The workgroup approved all checklists presented with changes/clarifications as noted.

Action Items:

1. Debby and Robert are to distribute the definition of delegation (specifically regarding nurse instructions) to the workgroup by Wednesday, July 28.
2. The workgroup is to make any additional comments regarding checklists and have to Steve by close of business on Tuesday, July 27.

Public Comments:

See Attachment A

Discussion Notes:

Randy May pointed out that HCR 049 does not mandate that IDALA specifically is to be included in restructuring the Assisted Living program. Stakeholders, including providers, advocates, and the Department, were given the mandate. The decision was made to move forward with providers, advocates, and the Department remaining at the table.

The workgroup wished to be on record that it has a genuine interest in having IDALA at the table and would have liked them to stay. There is an interest in knowing what IDALA's issues are and the workgroup would have liked to have had those issues laid out clearly. The workgroup also desires that the meeting IDALA proposed with Randy May be transparent and to allow others from the workgroup be included in that meeting. There is a concern that IDALA does not represent all providers.

Flipchart Notes:

See Attachment B – letter from IDALA submitted by Bryan Elliott.

Workgroup Proceeding...

Debora Corbin:

- All facilities need to be represented if there is any "private" meeting with Randy.
- Never said there had to be consensus.
- There is a provision to monitor and adopt process as we go.
- Everyone is responsible for what they have said and decided.
- Vote to continue process.

Sharon Ashcraft:

- Much done.
- Statutory work is uncomfortable.
- Want to see package before making final decisions.
- Want to stop participating in next two meetings.

Robert Vande Merwe:

- Disappointing to hear IDALA's proposal to stop.
- Want to finish with next two meetings.
- Let details get worked out.

Virginia Loper:

- Vote to continue process.

Chris Baylis:

- Vote to continue process.
- Seems odd to not continue process we have begun.

Cathy Hart:

- Vote to continue process.

Jerry Mitchell:

- Meeting material too extensive to provide adequate review.
- Want to really know what we're voting on.
- Not comfortable waiting until statute/laws are drafted before making decision.
- Want to stop for now, until IDALA can adequately review products so far.

Linda Simon:

- Don't want to walk away.
- Understand opportunity will exist to review at the end, but doesn't feel like there will be a chance then to really rework the products.
- Want to take a breather.

Suzie Hanks:

- Here for duration.
- Never thought that there wouldn't be another chance to weigh-in or disagree on portions in the future.
- Feel like a step back from "collaboration" to have private meeting between Randy May and IDALA.

Debby Ransom:

- Vote to continue process.
- Want to know IDALA's specific issues.

Angela Browning:

- All working for win-win.
- If we go forward without IDALA, it will be opposed at the time it gets to legislature.
- Nurses tied to providers.
- Would like a plan to continue...but stand down for now.

*[The following members of the workgroup voted **for** a moratorium on the Restructure Project effective immediately: Sharon Ashcraft, Bryan Elliott, Jerry Mitchell, Linda Simon, and Angela Browning. The following members of the workgroup voted **against** a moratorium on the Restructure Project effective immediately: Debora Corbin, Robert Vande Merwe, Virginia Loper, Chris Baylis, Cathy Hart, Suzie Hanks, and Debby Ransom. The vote **against** a moratorium passed 7-5. After the vote was taken, a five minute break was called. When the group reconvened, the members who had voted **for** the moratorium chose not to participate.]*

Workgroup Reactions

Robert: Would like others involved in IDALA meeting with Randy (like a subcommittee) so that the workgroup can understand the issues (*action item?)

Debby: Not sure IDALA would have agreed to final product even if they stayed throughout. Such a large spectrum of issues, need broad support.

Randy May: We are going forward. If IDALA wants to be in or out, the process continues anyway.

Robert: Are we making it easier for IDALA to completely pull out?

Randy May: Continue shaping the product, and let the Department worry about politics.

Debora: Seems all decisions are documented. Could tell what people have said/decided.

Synthesis of Workgroup Reaction:

1. The workgroup has interest in having IDALA at the table and wants them to stay.
2. The workgroup would like to know what IDALA's issues are.
3. The workgroup wants representation at the meeting proposed between Randy May and IDALA to understand the issues.
4. The workgroup has a concern that IDALA will not honor agreements made to date.

Definitions

1. Look at "potential for harm" and way to capture concept without using this "sensitive" term.

Agree = Chris, Virginia, Robert, Debora (all with potential for harm clarified)

Disagree = Debby, Suzie (need to clarify definition of "potential for harm")

Definitions List

- "Potential for Harm" (or something to get to the intent of this...proactive)
 - From Randy May's presentation "Core Issues = those non-compliance items that could (1) result in harm; (2) the potential for harm; (3) indicates a breakdown of facility processes that could lead to harm.
- "Call Systems"
- [Add Checklist Definitions]
- Delegation/Instruction

Survey & Technical Assistance Guide

1. Clarify point on page 4...should be that the survey team needs to be able to determine whether to move ahead or not with standard survey, more info, etc. This is not a collaborative decision made with the facility.
2. Last paragraph, last page – 30-day provision to correct. Add that facility submits plan to get work done as soon as possible, and a temporary solution until the situation has been resolved. Need to document this and work language (what & when → put some maximum timeframe - NTE 6 months, unless negotiated with the Department).
3. Announced surveys by phone only.
4. Page 13: regarding intercom systems...use "call systems" instead.
5. Page 6: "although a sample will not be pulled..." → see language on page 9.
6. Page 3: 2nd & 3rd bullet → add UAI to both.

All agreed to accept with changes as noted, although Cathy Hart, Suzie Hanks, and Debby Ransom noted that they do not agree with announced surveys.

Checklist Decisions

- Administrator – unanimous as written.
- Training – move forward as written, with addition not included in decision.
- Resident Rights
 - Add "...communicated within a language they understand (both written and verbal). Debby, Suzie, Cathy, Chris, Virginia, Robert, Debora
 - Rework "k" to address potential for abuse. Debby, Suzie, Cathy, Chris, Virginia, Robert, Debora
 - Add right to appeal discharge. Debby, Suzie, Cathy, Chris (maybe), Virginia (who do they appeal to ?), Robert, Debora (but questions how this would fit)
- Records
 - Clarify how long medical and personal records must be maintained by the provider.
 - Use guidelines documented in survey content proposal regarding bank accounts,

- providers holding cash accounts.
 - Clarify delegation/instruction.
 - Unanimous with changes**
- Food Services – **Unanimous as reviewed, and clarify #20 to address timing of shopping and supporting the menu.**
- Nursing
 - Agree with changes unanimous, except Debora wants more discussion about #14.
 - Decision to combine Nursing and Medication checklists into one checklist.

Parking Lot:

1. Nurse license question...where should this go?
2. Question about medical records/personal records → how long should DHW require providers keep these records.

Positive	Change
Got back on track and pushed forward.	Frustrated – lots of valuable input and experience gone – wish they could articulate their issues with the group. X 6
Once we got going, we got going well. Expected all along that this is not final – will have to work at it.	Disappointed – came so far – lost valuable input – wish if this were going to happen that it would have happened sooner. X3
Went well after drama.	Felt rushed and unexpected stuff.
Time frame appropriate – a point in time when we can hash things to death.	Disgusted.
	Feel that we didn't have enough time – but need to stick to our deadline.